

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

XEZAKIA ROUSE,
Plaintiff,

v.

No. CV 11-0433 MV/CG

SGT. TOBY L. BACA,
OTHER UNNAMED SGT.,
Defendants.

ORDER GRANTING MOTION TO SEAL

THIS MATTER is before the Court on Defendant's *Motion to Seal Exhibit (Doc. 43-12) To Martinez Report (Doc. 43)*. (Doc. 46). Defendant submitted a court-ordered *Martinez* report on October 13, 2011. (Doc. 43). Defendant included the New Mexico Corrections Department's 'Use of Force' policy as an exhibit to the *Martinez* report. (Doc. 43-12). Defendant did not supply this exhibit to Plaintiff. (Doc. 46 at 1). Defendant states that the 'Use of Force' policy contains sensitive information and that it is confidential. (*Id.*). The policy is not available to inmates or the general public and Defendant believes that distribution of the policy "will compromise the safety and security of inmates and employees of the correctional facilities of New Mexico." (*Id.*). Defendant therefore moves to have the 'Use of Force' exhibit to the *Martinez* report sealed. (*Id.*). The Court **FINDS** the motion to be well-taken.

IT IS THEREFORE ORDERED that exhibit 12 to Defendant's *Martinez* report, (Doc. 43-12), be **SEALED**.



THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE